

STAFF REPORT

Meeting Date: May 15, 2002

Consent

PROPOSAL: LAFCO 01-30 – Calleguas Municipal Water District Annexation – Concordia

PURPOSE: Annexation of approximately 13.78 acres, including one parcel and portions of Butler Road, Pleasant Valley Road, and State Highway 1, into the Calleguas Municipal Water District (CMWD) for the purposes of providing potable water service to new residential development.

PROPONENT: Calleguas Municipal Water District, by resolution

SIZE: Approximately 13.78 acres

LOCATION: The site is generally triangular in shape with the southeast side adjacent to Pleasant Valley Road and the northeast side adjacent to Butler Road and Highway 1, within the City of Oxnard.

ASSESSOR'S PARCEL: 225-0-017-020

NOTICE: This matter has been noticed as prescribed by law.

RECOMMENDATION:

Adopt the attached resolution (LAFCO 01-30) making determinations and approving the Calleguas Municipal Water District Annexation - Concordia .

COMMISSIONERS AND STAFF

COUNTY Steve Bennett, Chair Kathy Long <i>Alternate:</i> Judy Mikels	CITY Linda Parks John Zaragoza <i>Alternate:</i> Evaristo Barajas	SPECIAL DISTRICT Jack Curtis John Rush <i>Alternate:</i> Dick Richardson	PUBLIC Louis Cunningham, Vice Chair <i>Alternate:</i> Kenneth M. Hess
EXECUTIVE OFFICER Everett Millais	PLANNER III Hollie Brunsky	CLERK Debbie Schubert	LEGAL COUNSEL Noel Klebaum

GENERAL ANALYSIS:

1 Land Use:

A. Site Information

	Existing	Proposed
Zone District Classification	City: R-2-PD	City: No Change
General Plan Designation-	City: Low-Medium Residential	City: No Change
Use of Proposal Area	Vacant	30 Duplexes (Total of 60 Senior-restricted dwelling units)

B. Surrounding Land Uses and Zoning and General Plan Designations

	Zone District Classification	General Plan Designation	Existing Use
North	County: A-E (Agriculture Exclusive)	Agriculture	Highway 1 (Agriculture)
South	City: MH-PD (Mobile Home)	Factory Built Residential	Mobile Home Park
East	City: OS	Open Space – Community Reserve	Open Space Lands/ Highway 1
West	City: MH-PD	Factory Built Residential	Mobile Home Park

C. Topography, Natural Features and Drainage:

The site is undeveloped and has been previously graded. There is a stand of Eucalyptus trees to the west on an adjacent parcel. There is no significant habitat or natural features on the site.

D. Conformity with Plans

The proposal area is within the City of Oxnard. The proposed use of residential duplex units conforms to the City's general plan designation of Low-Medium Residential.

2. Impact on Prime Agricultural Land, Open Space and Agriculture:

The proposal area is not considered to be prime agricultural land as defined in Government Code Section 56064. The proposal area is not considered to be open space or in a designated greenbelt area.

The proposal area is wholly within the City of Oxnard. The site lies between urbanized development to the south and west and agricultural lands to the north and east. There is a section of land designated as Open Space between State Highway 1 and Butler Road. This area is not part of this proposal and will become an “island” of territory outside of CMWD boundaries if the proposal is approved.

The parcels designated for agriculture to the north and east are buffered from the proposal area by Butler Road and Highway 1 (northeast) and Pleasant Valley Road (southeast). The open space area would also be buffered from the proposal area.

Thus, the proposal for water service will have no significant adverse effects on any of the adjacent agricultural lands. Additionally, the City has determined no significant impact to agriculture will result from the proposed residential project.

3. Population:

The site is currently vacant. Thus, the site is considered uninhabited.

4. Services and Controls – Need, Cost, Adequacy and Availability:

CMWD has made initial application to annex the proposal area into the Metropolitan Water District of Southern California. Annexation into the Metropolitan Water District is not subject to LAFCO action, but is required before CMWD can supply water. In recognition of this fact a condition is recommended as a part of any approval (see condition no. 7 in the recommended resolution) requiring that CMWD provide the Executive Officer with proof that the proposal area has been annexed in the Metropolitan Water District of Southern California prior to recordation of the CMWD annexation.

Once annexed, CMWD will supply water through existing infrastructure and extension of new water lines. The developer will pay for initial construction costs. On-going maintenance and operational costs will be financed by water sales to the City of Oxnard and other general revenues of CMWD.

5. Boundaries and Lines of Assessment:

The boundaries are definite and certain. There are no conflicts with lines of assessment or ownership.

A map sufficient for filing with the State Board of Equalization has been received from the proponent.

6. Assessed Value, Tax Rates and Indebtedness:

The proposal area is presently within tax rate areas 03058 (\$1.049100) and 03088 (1.049100). Upon completion of this annexation the area will be assigned to one existing tax rate area 03285 (1.056800). The total assessed value per the 2001-2002 tax roll is \$727,249.

7. Environmental Impact of the Proposal:

The City of Oxnard is the lead agency for this proposal as the City processed the proposed residential development entitlements (PZ 00-77 and PZ 00-5-78). The City prepared and certified a Mitigated Negative Declaration (MND # 01-10) pursuant to Section 15070 of the State CEQA Guidelines. The MND proposes mitigation measures in the following areas to lessen any environmental impacts so that they can be considered less than significant:

- *Air Quality* – Short and Long term impacts due to construction and vehicles
- *Cultural Resources* – Potential archeological resources
- *Geology and Soils* – Potential for seismic ground shaking
- *Noise* – impacts relating to construction noise

The MND was made available for review at the Ventura LAFCO office and is also made available at the LAFCO meeting for review.

8. Landowner and Annexing Agency Consent:

The property owner involved in this proposal has given their written consent to annex and the consent is filed with LAFCO. CMWD has requested the waiver of conducting authority proceedings.

SPECIAL ANALYSIS

The proposed annexation is creating two islands of territory outside of the Calleguas Municipal Water District (See Attachment 1, Vicinity Map). Both islands are within the City of Oxnard boundaries. The island located within the proposal area has a City general plan designation of Open Space-Community Reserve. The island to the

southeast of the proposal area is comprised of four lots that are zoned Open Space-Community Reserve. Three of the four sites are used for orchards and have a general plan designation of Low-Medium Residential. The fourth site is a small cemetery. At this time, the sites have no foreseeable need for potable water service. Although the parcels are located within the City of Oxnard, they are not designated nor being used for urban use. Section 3.3.1. of the LAFCO Handbook lists Standards for Annexation to Cities and Districts. One of the factors in "Unfavorable to Approval", Section 3.3.1.2.ii, states "The proposal would result in a premature intrusion of urbanization into a predominantly agricultural or rural area."

Requiring these island areas to be annexed into CMWD at this time might result in a premature intrusion of urbanization. Thus, staff recommends that the islands not be included in the proposed annexation. At such time as the City of Oxnard may change it's general plan designations for the island areas and pre-zone for urban uses, annexation to CMWD may be appropriate.

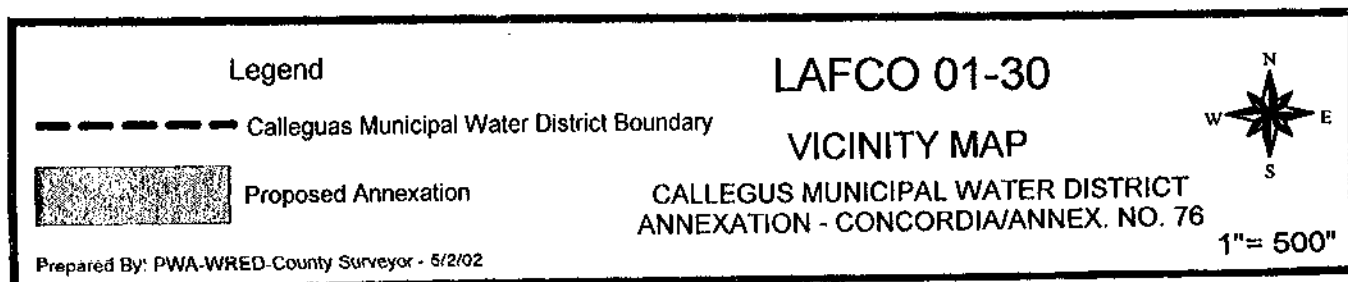
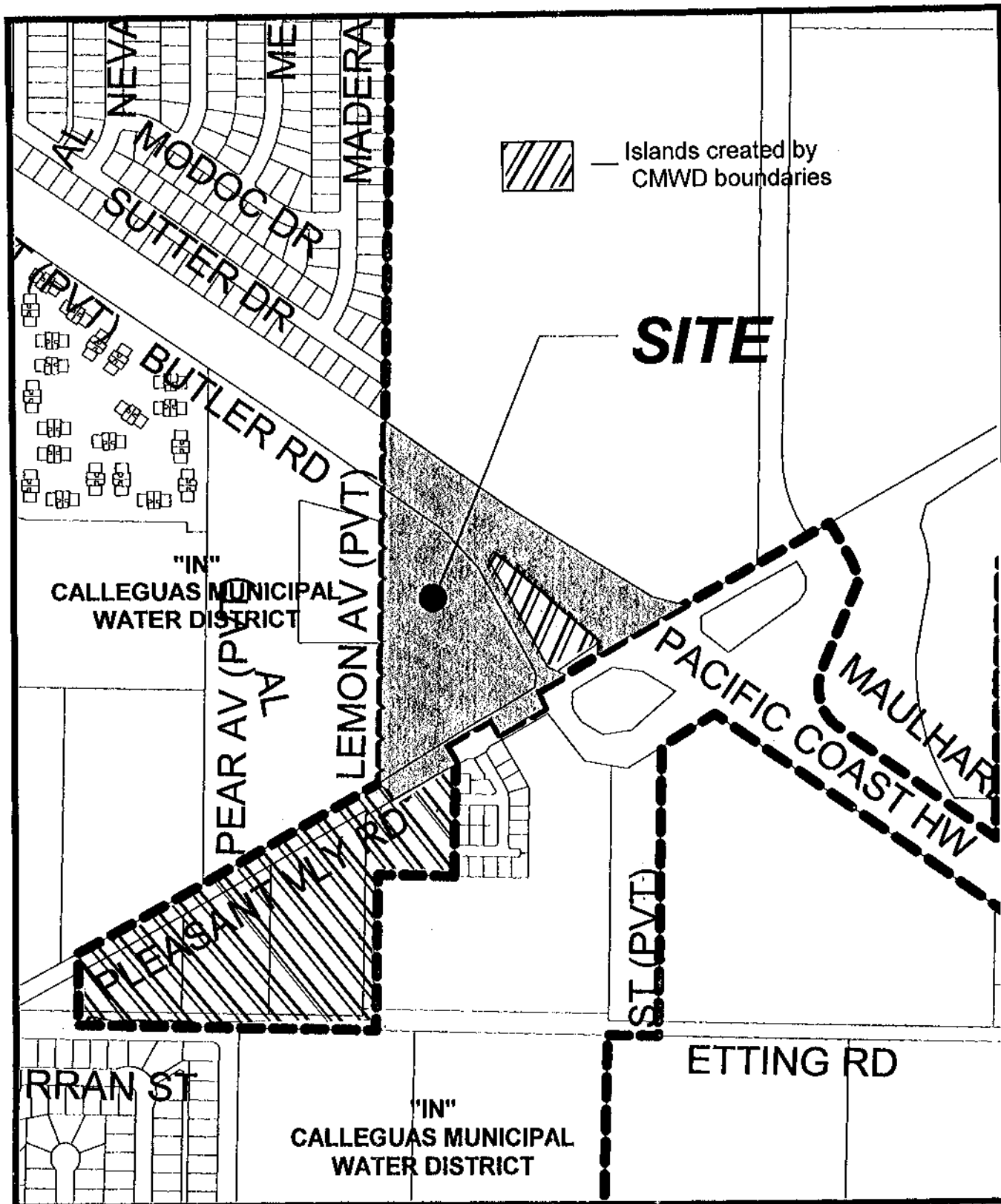
ALTERNATIVE ACTIONS AVAILABLE:

- A. If the Commission, following public testimony and the review of the materials submitted, determines that further information is necessary, a motion to continue one or both of the proposals should state specifically the type of information desired and specify a date certain for further consideration.
- B. If the Commission, following public testimony and review of materials submitted with this application wishes to deny or modify this application, a motion to deny should include adoption of this Report and all referenced materials as part of the public record.

STAFF: Hollee King Brunsky, Planner III

BY: _____
Everett Millais, Executive Officer

Attachments: (1) Vicinity Map
(2) LAFCO 01-30 Resolution



LAFCO 01-30

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING LAFCO 01-30 - CALLEGUAS
MUNICIPAL WATER DISTRICT ANNEXATION –
CONCORDIA**

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Ventura Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Government Reorganization Act of 2000; and

WHEREAS, at the times and in the manner required by law, the Executive Officer gave notice of the consideration by the Commission on the proposal; and

WHEREAS, the proposal was duly considered on May 15, 2002; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the request including, but not limited to, the Executive Officer's report and recommendation; and

WHEREAS, information satisfactory to the Commission has been presented that all the owners of land within the affected territory have given their written consent to the proposal; and

WHEREAS, the Ventura Local Agency Formation Commission finds the proposal to be in the best interest of the affected area and the organization of local governmental agencies within Ventura County;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Local Agency Formation Commission of Ventura County as follows:

- (1) The Executive Officer's Staff Report and Recommendation for approval of the proposal dated May 15, 2002 is adopted.
- (2) Said annexation as set forth in Exhibit A and attached hereto is hereby approved as submitted.
- (3) Said territory is found to be uninhabited.
- (4) The subject proposal is assigned the following short form designation:
**LAFCO 01-30 - CALLEGUAS MUNICIPAL WATER DISTRICT
ANNEXATION – CONCORDIA**
- (5) The boundaries of the affected territory are found to be definite and certain as approved.

- (6) (a) The Commission has reviewed and considered the information contained in the Mitigated Negative Declaration and makes a specific determination that the proposal has no significant adverse unavoidable impacts associated with the proposal and finds the proposal to be in accordance with Section 15070 of the California Environmental Quality Act Guidelines.
(b) The Commission directs Staff to file a Notice of Determination in the same manner as the lead agency under Section 15094.
- (7) **This annexation shall not be recorded until and unless Calleguas Municipal Water District provides the Executive Officer with a certified copy of a resolution by Calleguas Municipal Water District accepting the terms and conditions of Metropolitan Water District of Southern California and directing the annexation of the proposal area depicted on Exhibit A.**
- (8) The Commission waives conducting authority proceedings, since satisfactory proof has been given that the subject property is uninhabited, that all landowners within the affected territory have given their written consent to the proposal, and that all affected agencies that will gain or lose territory as a result of the proposal have consented in writing to the waiver of conducting authority proceedings. [Government Code Section 56663].

This resolution was passed and adopted on May 15, 2002.

AYES:

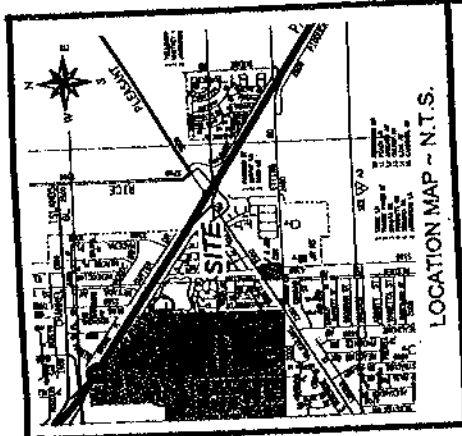
NOES:

ABSTAINS:

Dated: _____
Chair, Ventura Local Agency Formation Commission

Copies: Calleguas Municipal Water District
Ventura County Assessor
Ventura County Auditor-Controller
Ventura County Elections
Ventura County Surveyor

01-30



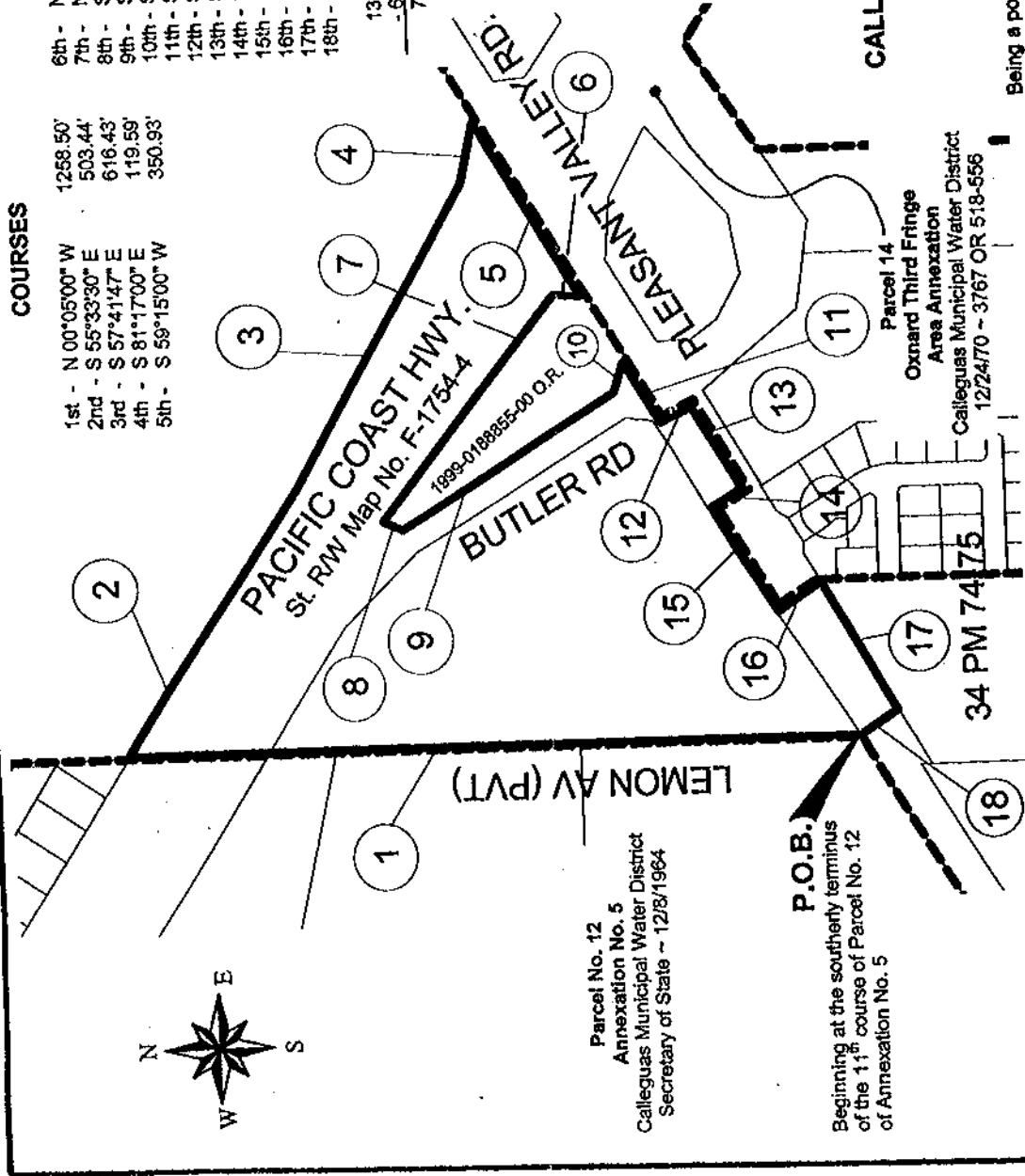
Revised By
Z & M Consulting
2146 Mandrill Avenue
Ventura, CA 93003
(805) 647-8928

COURSES	COURSES
6th - N 03°36'17" E	51.26'
7th - N 50°41'10" W	482.75'
8th - S 32°13'44" W	33.32'
9th - S 30°18'15" E	421.42'
10th - S 64°05'54" E	71.34'
11th - S 59°15'00" W	142.92'
12th - S 30°45'00" E	60.00'
13th - S 59°15'00" W	181.50'
14th - N 30°45'00" W	60.00'
15th - S 59°15'00" W	182.16'
16th - S 30°45'00" E	76.00'
17th - S 59°15'00" W	237.86'
18th - N 30°45'00" W	76.00'

13.782 Acres - Gross Area
- 6.510 Acres - Road & Hwy Area
7.272 Acres - Net Area

COURSES

1st - N 00°05'00" W	1258.50'
2nd - S 55°33'30" E	503.44'
3rd - S 57°41'47" E	616.43'
4th - S 81°17'00" E	119.59'
5th - S 59°15'00" W	350.93'



Parcel No. 12
Annexation No. 5
Calleguas Municipal Water District
Secretary of State ~ 12/8/1964

P.O.B.
Beginning at the southerly terminus
of the 11th course of Parcel No. 12
of Annexation No. 5

Parcel 14
Oxnard Third Fringe
Area Annexation
Calleguas Municipal Water District
12/24/70 ~ 3767 OR 518-556

Existing Calleguas Municipal Water District Boundary

Proposed Annexation Boundary

CALLEGUAS MUNICIPAL WATER DISTRICT ANNEXATION CONCORDIA (ANNEXATION NO. 76)

Being a portion of Lot 2 of Subdivision No. 44 of Rancho El Rio De Santa Clara O'La
Colonias and portions Butler and Pleasant Valley Roads, in the County of Ventura, State of
California, as said Lot 2 is shown on the map recorded in the office of the County
Recorder of said County, in Book 3, Page 14 of Miscellaneous Records.

**CALLEGUAS MUNICIPAL WATER DISTRICT ANNEXATION
CONCORDIA
(ANNEXATION NO. 76)**

Being a portion of Lot 2 of Subdivision No. 44 of Rancho El Rio De Santa Clara O'La Colonia and portions of Butler and Pleasant Valley Roads, in the County of Ventura, State of California, as said Lot 2 is shown on the map recorded in the office of the County Recorder of said County, in Book 3, Page 14 of Miscellaneous Records, described as follows:

Beginning at a point in the northerly line of said Pleasant Valley Road, said point also being the southerly terminus of the 11th course of Parcel No. 12 of Annexation No. 5 to the Calleguas Municipal Water District, as filed with the Secretary of State on December 8, 1964; thence, along the existing Calleguas Municipal Water District boundary,

1st - North 00°05'00" West 1258.50 feet to the northerly line of State Highway 1, as shown on State Right of Way Map No. F-1754-4; thence, leaving said district boundary along said northerly line by the following three courses:

2nd - South 55°33'30" East 503.44 feet; thence,

3rd - South 57°41'47" East 616.43 feet; thence,

4th - South 81°17'00" East 119.59 feet to the 19th course of Parcel No. 14 of the Oxnard Third Fringe Area Annexation to the Calleguas Municipal Water District, as described in the Certificate of Filing recorded on December 24, 1970, in the office of said County Recorder in Book 3767, Pages 518-556 of Official Records; thence, along said 19th course,

5th - South 59°15'00" West 350.93 feet to the southeast corner of the parcel described in Exhibit "A" in the Trust Transfer Deed recorded on October 7, 1999, in the office of said County Recorder as Document No. 1999-0188855-00 of Official Records; thence, along the boundary of said parcel by the following five courses:

6th - North 03°36'17" East 51.26 feet; thence,

7th - North 50°41'10" West 482.75 feet; thence,

8th - South 32°13'44" West 33.32 feet; thence,

9th - South 30°18'15" East 421.42 feet; thence,

10th - South 64°05'54" East 71.34 feet to said 19th course of said Parcel No. 14 of said Oxnard Third Fringe Area Annexation to the Calleguas Municipal Water District; thence, along said 19th course by the following course and along the existing boundary of said Calleguas Municipal Water District by the following six courses:

11th - South 59°15'00" West 142.92 feet; thence,

12th - South 30°45'00" East 60.00 feet; thence,

13th - South 59°15'00" West 181.50 feet; thence,

14th - North 30°45'00" West 60.00 feet; thence,

15th - South 59°15'00" West 182.16 feet; thence,

16th - South 30°45'00" East 76.00 feet to the southerly line of said Pleasant Valley Road as shown on Parcel Map No. 80-25 as filed in the office of said County Recorder in Book 34, Pages 74 & 75 of Parcel Maps; thence, leaving said existing district boundary along said southerly line,

17th - South 59°15'00" West 237.86 feet; thence,

18th - North 30°45'00" West 76.00 feet to the point of beginning.

13.782 Acres - Gross Area
- 6.510 Acres - Road & Hwy Area
7.272 Acres - Net Area